

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 6400**

Chapter 287, Laws of 2002

57th Legislature  
2002 Regular Session

BIODIVERSITY CONSERVATION

EFFECTIVE DATE: 6/13/02

Passed by the Senate March 12, 2002  
YEAS 36 NAYS 9

BRAD OWEN  
**President of the Senate**

Passed by the House March 8, 2002  
YEAS 55 NAYS 41

FRANK CHOPP  
**Speaker of the  
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6400** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK  
**Secretary**

Approved April 1, 2002

FILED

April 1, 2002 - 11:22 a.m.

GARY LOCKE  
**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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ENGROSSED SUBSTITUTE SENATE BILL 6400

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AS AMENDED BY THE HOUSE

Passed Legislature - 2002 Regular Session

State of Washington 57th Legislature

2002 Regular Session

By Senate Committee on Natural Resources, Parks & Shorelines  
(originally sponsored by Senators Jacobsen, Oke, Kohl-Welles and Kline)

READ FIRST TIME 02/07/2002.

1 AN ACT Relating to biodiversity conservation; and creating new  
2 sections.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that the state of  
5 Washington possesses a diversity of plants and animals in a diverse  
6 array of ecologically distinct regions. This biological diversity and  
7 its role in forming the diverse landscapes of the state are an  
8 important part of the high quality of life shared by all of the state's  
9 citizens and its visitors. By better understanding the variety and  
10 status of living organisms and the communities and ecosystems in which  
11 they occur, conservation efforts can be more effective in ensuring that  
12 this wealth of biological diversity is enjoyed by current and future  
13 generations.

14 The legislature further finds that extensive scientific work has  
15 been completed by both public and private entities to map the state's  
16 ecoregions and address ecoregional planning issues, by academic  
17 institutions, by state agencies such as the departments of natural  
18 resources and fish and wildlife, and by nongovernmental organizations  
19 such as the nature conservancy. However, these existing information

1 sources are not complete, and this information may not be sufficiently  
2 coordinated or accessible and useful to the public or policymakers.  
3 Similarly, there is no single entity responsible for development and  
4 implementation of a coordinated state strategy to conserve remaining  
5 functioning ecosystems and restore habitats needed to maintain  
6 Washington's biodiversity. There should be a comprehensive review to  
7 identify the state's needs for biodiversity data and conservation, and  
8 to coordinate development, dissemination, and use of existing  
9 information.

10 There is also a need to strengthen the state's nonregulatory  
11 approaches to biodiversity conservation, including incentives for  
12 voluntary conservation efforts by private landowners. Incentives shall  
13 be a major element of the state's overall biodiversity conservation  
14 strategy.

15 The legislature further finds that resource management on a single-  
16 species or single-resource basis has proven to be costly, acrimonious,  
17 and ultimately ineffective at either preserving the state's  
18 biodiversity or allowing reasonable economic development.

19 Therefore, the purpose of this act is to create a temporary  
20 committee to develop recommendations to the governor and the  
21 legislature to establish the framework for the development and  
22 implementation of a statewide biodiversity conservation strategy, to  
23 replace existing single-species or single-resource protection programs.

24 NEW SECTION. **Sec. 2.** (1) The interagency committee for outdoor  
25 recreation is authorized to grant up to forty-five thousand dollars, on  
26 a competitive basis, to conduct the review of biodiversity programs as  
27 described in this section.

28 (2) The successful grantee must convene and facilitate a  
29 biodiversity conservation committee that will review existing  
30 biodiversity mapping and research programs in Washington conducted by  
31 state and federal agencies, nongovernmental organizations, and other  
32 entities, as well as reviewing programs and projects in other states.

33 (3) The biodiversity conservation committee must develop  
34 recommendations for a state biodiversity strategy that includes:

35 (a) Creation and composition of a standing public/private council  
36 to oversee design, development, and implementation of the strategy;

1 (b) Identification of a lead agency to support and facilitate  
2 development and implementation of a state biodiversity conservation  
3 plan;

4 (c) Methods to improve state agency and nongovernmental  
5 organization coordination and cooperation;

6 (d) Consistent definitions of the state's ecoregions and an  
7 integrated system of data management and mapping of the state's  
8 biodiversity;

9 (e) A review of Oregon's forest sustainability project and  
10 incorporation of key processes and criteria that are applicable in  
11 Washington;

12 (f) The state role for housing and administering biodiversity data  
13 and making the data accessible to local governments and others;

14 (g) A public education and outreach component that includes the  
15 production of a visual overview of Washington's ecoregions;

16 (h) Methods to ensure continuing stakeholder involvement;

17 (i) Methods to provide technical assistance to support state and  
18 local government land management;

19 (j) Identification of the time frames and funding needed to  
20 implement the strategy;

21 (k) Identification and development of nonregulatory methods to  
22 preserve biodiversity, including incentives to conserve land with  
23 important biodiversity values. These methods shall focus on approaches  
24 such as landowner incentives and acquisition of conservation easements  
25 from willing landowners;

26 (l) Recognition of the forests and fish program and other  
27 public-private efforts to identify and protect important fish and  
28 wildlife habitat;

29 (m) Development of consistent, workable definitions for key terms  
30 that are currently undefined in this act, including the terms  
31 "biodiversity" and "ecosystem"; and

32 (n) Review state policies and legal mechanisms that may affect  
33 biodiversity.

34 (4) The purpose of the state biodiversity strategy is to develop  
35 and suggest implementation recommendations for an ongoing biodiversity  
36 conservation strategy to maintain Washington's biodiversity in  
37 perpetuity, within the context of human activities on the landscape, to  
38 prevent additional species from being listed as endangered or

1 threatened, and to create a more predictable environment in which to  
2 conduct economic activities.

3 (5) In carrying out the duties assigned in this section, the  
4 biodiversity conservation committee must recognize existing  
5 conservation commitments, including approved habitat conservation plans  
6 and other similar methods initiated by the legislature or a regulatory  
7 board, and focus on addressing conservation needs that have not already  
8 been addressed.

9 (6) The successful grantee must invite representatives of the  
10 following groups to participate on the biodiversity conservation  
11 committee:

12 (a) State agencies, including the departments of fish and wildlife,  
13 natural resources, and ecology, the Puget Sound action team, and the  
14 state salmon recovery office;

15 (b) Federal land management and natural resource agencies;

16 (c) Local governments;

17 (d) Tribes;

18 (e) Property owners, including forestry and agriculture;

19 (f) Business, including land development;

20 (g) Academia and research institutions; and

21 (h) Conservation nongovernmental organizations.

22 (7) The biodiversity conservation committee must choose a chair  
23 from among its members and adopt operating procedures.

24 (8) The grant agreement must be conditioned to require that at  
25 least an amount of funding equal to the state grant be applied to the  
26 project from nonstate sources.

27 (9) The grantee must provide a final report describing its review  
28 and recommendations to the governor and the appropriate standing  
29 committees of the senate and the house of representatives by October 1,  
30 2003.

Passed the Senate March 12, 2002.

Passed the House March 8, 2002.

Approved by the Governor April 1, 2002.

Filed in Office of Secretary of State April 1, 2002.